IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 8TH JUNE 2007 / 18TH JYAISHTA 1929

Bail Appl..No. 3424 of 2007()

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CMP.1297/2007 of J.M.F.C.-II, KANJIRAPPALLY
C.R.NO.13/07 OF KANJIRAPALLY EXCISE RANGE

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: ACCUSED:

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THANKAPPAN @ KUNJUMON, S/O.KUTTY,
MANNIL VEEDU, ALAPRA P.O., MANIMALA,
KOTTAYAM.

BY ADV. SRI.TITUS MANI
SRI.S.SURAJ (PALATHANATHU)

RESPONDENTS: COMPLAINANT & STATE:

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1. STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. THE EXCISE INSPECTOR, KANJIRAPALLY.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**V. RAMKUMAR, J.**

**B.A. No. 3424 OF 2007**

**Dated this the 8th day of June, 2007**

**O R D E R**

In this Petition filed under Sec. 439 Cr.P.C. the petitioner, who is the accused in C.R. No.13/2007 of Kanjirapally Excise Range for offences punishable under Secs.8(1) and 8(2) of the Abkari Act, for having been found in possession of 5 liters of illicit arrack on 11.4.2007 and who was arrested on the same day, seeks his enlargement on bail.

2. The learned Public Prosecutor opposed the application submitting, inter alia, that the petitioner is an accused in two other cases involving similar offences.

3. It is too early to accept the petitioner's contention that he has been falsely implicated in the case. Moreover, I am not satisfied that both the grounds enumerated under Sec. 41A(b)(ii) of the Abkari Act are present in this case so as to justify his release on bail.

This application is accordingly dismissed.

**(V. RAMKUMAR, JUDGE)**

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